

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN JONES,

Plaintiff,

v.

FRANK NAJERA and JOSHUA
MALLERY,

Defendants.

CIVIL ACTION
NO. 19-4678

ORDER

AND NOW, this 16th day of August 2022, upon consideration of Defendant Frank Najera's Motion for Summary Judgment (ECF 71), Defendant Joshua Mallery's Motion for Summary Judgment (ECF 73, 74) Plaintiff Martin Jones' Statement of Disputed Factual Issues and Declaration in Opposition to Defendant's Motion (ECF 89), and Plaintiff's Motion for Damages (ECF 81) it is hereby **ORDERED** that:

1. Najera's Motion for Summary Judgment (ECF 71) is **DENIED**.
2. Mallery's Motion for Summary Judgment (ECF 73) is **GRANTED**.
3. Jones' Motion (ECF 81) is **DENIED without prejudice** as premature.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.